

ALLOWANCE

1. Claims 10-12 and 15-16 are allowed. Claims 13-14 are cancelled and claims 10-12 and 15-16 are amended as recited below; however, Applicant reserves the right to file one or more divisional applications claiming the cancelled subject matter.

Election/Restriction

This action is in response to the Remarks filed on October 26, 2007, in which Applicant elected with traverse the invention of Group I, directed to claims 10-12 and 15-16 and drawn to compounds and compositions of Formula I when the linker is cycloalkyl or phenylene.

Applicant's argue that the reference cited by Examiner does not support the determination of lack of unity stating that "the compounds of BELLET containing only one colchicine moiety do not anticipate the core structure of the compounds of the claimed invention, which necessarily contain two N-deacetylthiocolchicine moieties linked through a G1-linker-G2 bridge." Examiner finds this argument unpersuasive and finds that the reference sufficiently breaks unity as the compounds of the reference sufficiently anticipates the core of the present invention, e.g., contains at least one colchicine moiety.

The requirement is still deemed proper and is therefore made FINAL.

Reasons for Allowance

2. The following is an Examiner's statement of reasons for allowance: The closest prior art is Bellett, U.S. Patent No. 3,090,729. The difference between the instant compounds and the compounds of the reference is that the compounds of the reference contain only one colchicine

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moiety whereas the compounds of the reference contain two N-deacetylthiocolchicine moieties linked through a G1-linker-G2 bridge, which is neither taught nor suggested by the Bellett patent.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Examiner's Amendment

3. The Application has been amended as follows:

- i) In claim 10, first line, delete "Compounds of formula I" and insert "A compound of formula I" in its place.
- ii) In claim 10: change "the G junctions are both -CO- or -CONH." to "G₁ and G₂ are both CO or CONH."
- iii) In claim 10: delete "or C₄-C₆ heterocyclic ring".
- iv) In claims 11, 12 and 16: change "Compounds as claimed in ..." to "The compound according to claim 1".
- v) In claim 11: change "3-cicolhexylene" to "3-cyclohexylene".
- vi) Claims 13 and 14: CANCELLED.
- vii) In claim 15: AMENDED: change "Pharmaceutical compositions containing the compounds of formula I of claim 10" to "A pharmaceutical composition comprising a compound of formula I according to claim 1".

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Erich A. Leeser whose telephone number is 571-272-9932. The Examiner can normally be reached Monday through Friday from 8:30 to 6:00 EST.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. James O. Wilson can be reached at 571-272-0661. The fax number for the organization where this application is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) toll-free at 866-217-9197. If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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